



July 1, 2016

Re: Notice of Criminal Conviction Information of licensed school employees.

To all Indiana Prosecutors:

As a reminder, Indiana Code 20-28-5-8 provides that when a prosecuting attorney knows that a licensed employee of a public school or a nonpublic school has been convicted of an offense listed in IC 20-28-5-8(c), the prosecuting attorney shall immediately give written notice of the conviction to the following; (1) the state superintendent, and, (2) the superintendent of the school corporation that employs the licensed employee or the equivalent authority if a nonpublic school employs the licensed employee. If the defendant is the school's superintendent, or nonpublic school equivalent, the notice must be sent to the presiding officer of the governing body of the school that employs the superintendent instead. This notice is required for any licensed school employee. It is not limited to teachers.

In addition, the Indiana General Assembly recently added Indiana Code 35-50-10 to the criminal sentencing statutes. Effective July 1, 2016, the judge, presiding over the sentencing of a licensed teacher must provide similar notice if the licensed teacher is convicted of any offense listed in IC 35-50-10-1. See House Enrolled Act 1005 (2016).

The Department is providing a proposed notification form, which will also be available on the Department's Legal Affairs website at <http://www.doe.in.gov/legal>. There will also be a link to a searchable database for the address of each school in Indiana. Also, a voluntary license revocation form, along with instructions, will be available on the website. This form will allow a teacher to voluntarily relinquish his or her license at the trial court level in lieu of administrative revocation proceedings. This form notice may be used by both prosecutors and courts.

If you have any other questions please visit <http://www.doe.in.gov/legal>, or contact the Department at 317-232-6646 or [legal@doe.in.gov](mailto:legal@doe.in.gov).

Best Regards,

Kelly M. Bauder,  
Staff Attorney